

## 2008 ASBPA Enforcement Actions

### Revocations, Suspensions, or Surrendered in lieu of further disciplinary actions:

#### April 2008

On April 25, 2008, the Arkansas State Board of Public Accountancy (hereafter "Board") held a hearing on Hearing No. H08-001, In the Matter of Russell W. McAdams, Certificate No. 1829R and R.W. McAdams, P.A., No. 615C. By order entered May 23, 2008, the Board ordered that the certified public accountant certificate of Russell W. McAdams and the firm registration of R. W. McAdams, PA firm registration be immediately revoked. The Board's findings were that Respondents violated Arkansas Code Annotated § 17-12-601(a) (4) (9) and Board Rule 13; Board Rule 14.3 (b); and Board Rule 409, Code of Professional Conduct.

On April 25, 2008, the Arkansas State Board of Public Accountancy (hereafter "Board") in the matter of Bertram W. Finzer, Certificate No. 6903 accepted the surrender of his certificate in lieu of further disciplinary action with regards to non-payment of CPE penalty.

#### May 2008

On May 23, 2008, the Arkansas State Board of Public Accountancy (hereafter "Board") held a hearing on Hearing No. H08-003, In the Matter of Curtis V. Byram, Certificate No. 1471R. By order entered June 20, 2008, the Board ordered that the certified public accountant certificate of Curtis V. Byram be immediately suspended until Mr. Byram meets special conditions set forth in the Order and the Board issues a written Order reinstating the suspension. The Board also assessed a civil penalty of Thirty Five Hundred Dollars (\$3,500.00) plus costs of the administrative hearing. The Board's findings were that Respondent violated Arkansas Code Annotated § 17-12-601(a) (2) (4) and (9), Board Rule 13, Board Rule 14.3(b) and Board Rules of Professional Conduct 101, 202, and 409.

#### June 2008

On June 27, 2008 the Arkansas State Board of Public Accountancy (hereafter "Board") approved a Consent Order on Case No. C07-008, In the Matter of KPMG LLP, No. 5LP. By Consent Order entered June 27, 2008, the Board ordered that the accounting firm of KPMG, LLP's registration was suspended for two (2) years. The Board also assessed a civil penalty of Fifteen Thousand Dollars (\$15,000). The Board's findings were that the accounting firm violated Arkansas Code Annotated § 17-12-601(a) and (a) (8) and Board Rule of Professional Conduct 401. The suspension was stayed and KPMG was placed on probation for 2 years on condition that the firm complies with conditions set forth in the Consent Order.

On June 27, 2008, the Arkansas State Board of Public Accountancy (hereafter "Board") in the matter of Brian G. Walker, Certificate No. 8084R accepted the surrender of his certificate in lieu of further disciplinary action with regards to non-payment of penalty for holding out as a CPA.

#### October 2008

On October 17, 2008, the Arkansas State Board of Public Accountancy (hereafter "Board") In the Matter of Morgan A. Berry and Morgan Andy Berry, CPA, P.A., accepted the surrender of his individual CPA Certificate No. 3265 and the firm's Certificate No. 376C in lieu of further disciplinary action for violation of Consent Order No. H05-004. Respondents violated Arkansas Code Annotated § 17-12-601(a) (8) (Supp 2005), 17-12-601 (a) (3) (Supp 2005), 17-12-601(a) (4) (Supp 2005), Board Rule 14 and Code of Professional Conduct Board Rules 401 and 409.

On October 17, 2008, the Arkansas State Board of Public Accountancy (hereafter "Board") held a hearing on Hearing No. H08-004 and H08-005, In the Matter of Curtis V. Byram, Certificate No. 1471R. By order entered December 8, 2008, the Board ordered that the certified public accountant certificate of Curtis V. Byram be immediately revoked and respondent shall cease and desist all types of advertising including newspaper, yellow pages, internet, signage, television and radio. The Board's findings were that Respondents violated Arkansas Code Annotated § 17-12-601(a) (4) (8) (9) and Board Rule 409, Code of Professional Conduct.

### Enforcement Actions Taken by the Board in 2008

Cases resolved due to lack of evidence to support violation:	3
Cases resolved by Consent Order:	30
Cases resolved by Compliance Statement:	5
Cases resolved by Compliance Achieved:	4
Cases resolved with no further action:	6
Cases resolved by Voluntary Surrender in lieu of further disciplinary action:	3 *
Cases resolved by Revocation:	<u>3 *</u>
Total 2008 Enforcement Cases Resolved and Closed:	<b>54</b>

\* including Actions listed above.